

**MINUTES
GREEN BAY PLAN COMMISSION
Monday, February 9, 2015
City Hall, Room 604
6:00 p.m.**

MEMBERS PRESENT: Maribeth Conard–Chair, Ald. Jerry Wiezbiskie, Tim Gilbert, and Tim Duckett

MEMBERS EXCUSED: Linda Queoff – Vice Chair, Sydney Bremer, and Heather Mueller

OTHERS PRESENT: Kim Flom, Paul Neumeyer, Dan Lindstrom, Wade Wyse, Troy Hoekstra, Major Jim Schmitt, Vicki Trebian and Chris from Attic Correctional, Craig Stevens, Ald. David Nennig, Billie Jo Horsens, Ald. Mark Steuer, Jackie Grzeca, Jim Grzeca and Debby Cesar,

APPROVAL OF MINUTES:

Approval of the minutes from the January 26, 2015, Plan Commission meeting

A motion was made by Ald. J. Wiezbiskie and seconded by T. Duckett to approve the minutes from the January 26, 2015, Plan Commission meeting. Motion carried.

COMMUNICATIONS:

OLD BUSINESS:

NEW BUSINESS:

1. (ZP 15-02) Discussion and action on the request for a Conditional Use Permit (CUP) for a proposed Staybridge Suites Hotel and for the hotel to exceed the maximum height limitations located at 1004 Brett Favre Pass, submitted by Troy Hoekstra, Green Bay Hotel Partners, LLC. (Ald. G. Zima, District 9)

P. Neumeyer stated this is a two-part Conditional Use Permit (CUP) request, the first is for the 77-bed hotel use and the second is for the height of the hotel to exceed the maximum height limitations in the General Commercial (C1) District. The property is located at 1004 Brett Favre Pass, near Lombardi Avenue and adjoins the Village of Ashwaubenon. The Comprehensive Plan recommends Commercial for this area, and is currently zoned as a Planned Unit Development (PUD). The PUD requires the CUP for the hotel use and height limitation. The request is to construct a five-story hotel on the site connecting to the Brett Favre Steakhouse Restaurant. The maximum height allowed in a C1 District is 35 ft. and the proposed hotel will be closer to 60 ft. at the midpoint of the roof line. This is comparable to the Hilton Garden and the Spring Hill Hotel. Planning staff has reviewed a preliminary site plan for the project and have two main concerns. The first being the lack of green space or an excessive amount of impervious coverage and the second being parking falling short of the minimum standards. The maximum impervious coverage is 80% and in that particular district they are up to being near 90% - 91%. As far as parking, they are short approximately 72 spots parking spots, and the developer is working with the adjoining properties to try and secure additional 30 – 50 parking spots. However, the site is still 22 parking spaces. Planning staff has notified affected property owners and have not received any calls or questions regarding the request. Planning staff is

supporting the request; however, there are some challenges with this site, which includes the impervious coverage and parking standards. The deficiencies identified by staff regarding the impervious coverage and parking are not applicable to the Plan Commission and may have to be presented to the Board of Appeals for a variance. Planning staff is recommending approval of the request subject to compliance with all of the regulations of the Green Bay Municipal Code not covered under the conditional use permit, including standard site plan and building plan review and approval.

Ald. J. Wiezbiskie asked why the request is being presented to the Plan Commission if he suggests it should go to the BOA. P. Neumeyer stated the request is before the Plan Commission for the CUP for the use of the hotel and to exceed the height limitations. He then asked if the height of the building matches the surrounding hotels. P. Neumeyer stated that was correct and that it would go before the BOA for a possible reduction in parking standards and impervious coverage.

M. Conard suspended the rules for Public Comments.

Wade Wyse – 201½ E. Main Street, Mt Horeb, WI: W. Wyse stated he is the Site Civil Engineering Consultant for the project and was here to answer any questions.

Troy Hoekstra – 921 1st Street North, St Cloud, MN: T. Hoekstra stated he is the developer of the project and was here to answer any questions.

A question and answer ensued. T. Duckett asked about the parking issue. T. Hoekstra went into detail about the parking issues and how they are attempting to resolve them. He also talked about the impervious coverage and how they are attempting to resolve this issue. Ald. J. Wiezbiskie asked where the additional parking was coming from. T. Hoekstra stated it would be from the lot just south of the existing site, behind Saranac and the Brewery building.

M. Conard returned the meeting back to regular order of business.

A motion was made by T. Duckett and seconded by Ald. J. Wiezbiskie to approve a Conditional Use Permit (CUP) for a proposed Staybridge Suites Hotel and for the hotel to exceed the maximum height limitations located at 1004 Brett Favre Pass, subject to compliance with all of the regulations of the Green Bay Municipal Code not covered under the conditional use permit, including standard site plan and building plan review and approval. Motion approved.

2. (ZP 15-03) Discussion and action on the request for a Conditional Use Permit (CUP) for a 4-bed expansion of an existing 15-bed Community Based Residential Facility (CBRF) located at 2670 University Avenue, submitted by Vicki Trebian, ACS Clinical Services, LLC, property owner. (Ald. D. Nennig, District 5)

P. Neumeyer stated this is a request for a CUP for the expansion of an existing 15-bed Community Based Residential Facility (CBRF) at 2670 University Avenue, which intersects with I43. There are a number of multi-family uses in this area along with a small band of single-family homes along Linden Drive. The Comprehensive Plan recommends High-Density Residential for the area, the property is currently zoned Varied Density Residential. A brief history of the building was given. The current site is a licensed 15-bed CBRF for Alcohol & Other Drug Addiction (AODA) facility and has been licensed by the State of Wisconsin for the four-bed expansion. The detailed development standards are listed within the staff report; one of the issues regarding the facility is the number of incident calls to the Green Bay Police

Department. Enclosed within the meeting packet are police calls dating back to 2011, however, there are records dating back to 2008. Planning staff and Ald. D. Nennig did tour the facility on Friday, January 23, 2015; the facility is well run and police presence is not unusual due to the nature of the residents coming from the Federal and State correction system. The applicant is present and can explain some of the police calls. Planning staff does recommend denial of the request based on the number and varying police calls and the impact to surrounding neighborhoods.

T. Duckett asked if all the calls listed are from the CBRF facility or if some came from the apartment complex behind the facility as he could not see an address on the building. P. Neumeyer stated that all the calls should be related to the CBRF facility.

M. Conard suspended the rules for public comments.

Vicki Trebian – 601 Atlas Avenue, Madison, WI: V. Trebian stated she looked into the police calls. Most of the calls provided in the meeting packet are calls where clients are in violation to rules, regulations or probation. There are only 1 or 2 calls where the police were actually called for an active incident on site. M. Conard asked about the crime prevention calls. V. Trebian stated that would be if a crime prevention officer checks in with staff to see if any type of assistance is needed. Examples were given by V. Trebian to describe other incident type calls. T. Duckett asked if the police come out to the facility every time a call is placed. She stated yes. She informed the Plan Commission that they did have a community notification meeting regarding the expansion and only one person showed up and she was curious about the actual expansion plans. She explained that the expansion is a division of 4 larger rooms in the facility and no construction will be done. Also explained was how the staffing works in the facility. T. Duckett asked if there were any other facilities like ACS in the area.

Chris, a case worker at ACS, stated the Jackie Nitschke Center is also an AODA facility.

M. Conard asked about the clientele and how are they referred to ACS. V. Trebian stated they get their funding from the Department of Corrections and clients could be coming out of prison or one step away from going to prison, and from Federal Bureau of Prisons. They do accept both male and female clients. All clients are referred by Probation and Parole Agents.

Ald. J. Wiezbiskie asked where the 4 beds will be. V. Trebian stated they currently have 15 bedrooms with 4 rooms that are fairly large. They were approved to double bunk the four larger rooms without any addition to the actual building.

Craig Stevens – Property Manager at Linden Pointe Apartments, located south of the site, stated he was asked if he has noticed any problems from the police department or the residents at the facility. He stated he has been there 15 years and has had no issues. He stated he does support the request.

Ald. D. Nennig stated this facility is located in his district. He stated a neighborhood meeting was held on February 4, 2015 with notices sent to property owners and residents 400 ft. around the facility. However, only one resident showed up and she was just curious as to what was being proposed and did not voice any objection. He has spoken to several neighbors and there were no negative concerns regarding the expansion. He did tour the facility and it was very well kept and clean. The former Community Policing Captain, Bill Galvin, was contacted. B. Galvin stated that it was a well-run facility and the calls on the incident list were primarily staff contacting the police.

M. Conard returned the meeting to regular order of business.

A motion was made by Ald. J. Wiezbiskie and seconded by T. Duckett to approve a Conditional Use Permit (CUP) for a 4-bed expansion of an existing 15-bed Community Based Residential Facility (CBRF) located at 2670 University Avenue. Motion carried.

3. (ZP 15-04) Discussion and action on the request for a Conditional Use Permit (CUP) to authorize a single-family dwelling in an Office/Residential (OR) District located at 212 North Maple Street, submitted by Billie Jo Horsens, property owner. (Ald. G. Zima, District 9)

P. Neumeyer stated this is a request for a CUP to convert a two-family home back into a single family home. The Comprehensive Plan recommends Low to Medium Density and the property is currently zoned Office Residential. The conversion to a single-family use would be an acceptable use in this location. In order for the property owner to pull any permits, a CUP needs to be approved. Ald. G. Zima and affected property owners were notified of the request with no objections received. Planning staff is recommending approval of the request subject to the conditions related to site plan approval.

M. Conard suspended the rules for public comments.

Billie Jo Horsens – 212 N Maple Avenue: B. Horsens stated she is the petitioner and is here to answer any questions.

M. Conard returned the meeting to regular order of business.

Both Ald J. Wiezbiskie and Ald. M. Steuer are in favor of this request.

A motion was made by T. Gilbert and seconded by Ald. J. Wiezbiskie to approve a Conditional Use Permit (CUP) to authorize a single-family dwelling in an Office/Residential (OR) District located at 212 North Maple Street, subject to compliance with all other regulations of the Green Bay Municipal Code not covered under the Conditional Use Permit. Motion carried.

4. Discussion and action on February 3, 2015, Council Communication, requested by Ald. C. Wery to clearly define the protest petition requirements.

K. Flom stated that Ald. C. Wery put in a communication at the last council meeting to ask for some clarification on the protest petition process. A memo was included in the meeting packet for review containing details of the WI State Statutes. At this time Planning staff is requesting that this item be received and placed on file.

Ald. J. Wiezbiskie asked that K. Flom give a brief overview of what was just experienced to come to this request. K. Flom stated that Ald. C. Wery's request came from a protest petition that he had filed and how that might apply to Grandview. The petition for Grandview did not meet the qualification of Option "b", which was requested. During staff review, they realized that it did meet the requirements for Option "c". Planning staff was able to meet with the petitioners of Grandview and were able to achieve a successful petition for Grandview. When the Grandview project is reviewed by City Council, it will require a three-quarter vote, which would be 9-3 vote, to move it forward.

Ald. M. Steuer asked K. Flom why the vote has to be 9-3. She stated that per State Statute it has to be a three-quarter vote, which would be 9-3 vote.

M. Conard suspended the rules for public comment.

Jackie and Jim Grzeca – 3667 Finger Road: Jim Grzeca stated the instructions for the petition process are not very clear and difficult to follow. His suggestion was not to have to include parcels of the property owners from those people who are requesting the rezoning because there may be situations where it would be impossible to get 20 percent. He also suggests the property that is owned by any governing bodies not be included, and electronic signatures should be considered, especially for those who they cannot get a hand signature from.

K. Flom was asked to address some of Jim Grzeca's concerns. K. Flom stated they can work to increase awareness of protest petitions and better facilitate the process for interested parties. However, they cannot change state statute requirements at a municipal level; that would have to be done at the state level.

A discussion ensued between K. Flom and Jim Grzeca regarding the fairness of the Grandview petition. One issue is who would sign the petition for the City as the property in the area is owned by the City. K. Flom suggested that since most of these questions and issues are state statute related that maybe they should be routed to the legal department. She again reiterated that this is state statute limited and not a local requirement or code. Ald. J. Wiezbiskie also suggested that the questions and concerns brought up should be submitted in writing to their alderperson, who can submit it to the Legal Department.

M. Conard returned the meeting to regular order of business.

A motion was made by T. Gilbert and seconded by Ald. J. Wiezbiskie to receive and refer to Planning staff and Legal Department a request from Ald. C. Wery to clearly define the protest petition requirements.

OTHER:

Director's Update on Council Actions

K. Flom informed the Plan Commission of the following items:

- City Council tabled the Grandview project. It will be put back on the agenda at the request of City Council. A second neighborhood meeting is scheduled for Thursday, February 12, 2015, at 6:30 p.m.
- City Council moved all other items forward per Plan Commission's recommendation.

SUBMITTED PETITIONS: (for informational purposes only)

A motion was made by Ald. J. Wiezbiskie and seconded by T. Gilbert to adjourn. Motion carried.

Meeting adjourned at 6:53 p.m.